UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

AMERICAN COMMERCE INSURANCE) \
COMPANY,) \
) \
       Plaintiff,) \
) \
v.)   **Case No. 10-CV-0036-CVE-FHM** \
) \
BRANDON FEW, CRYSTAL FEW,) \
SAVANNA HADDOCK as parent and next) \
friend of W.H., a minor child, CLIFTON) \
HADDOCK, as parent and next friend of) \
W.H., a minor child) \
) \
) \
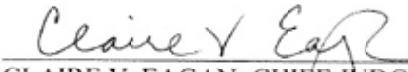   **Defendants.**)

OPINION AND ORDER

Now before the Court is American Commerce Insurance Company's Application for Default

Judgment Against Defendants Brandon and Crystal Few (Dkt. # 16). Plaintiff filed a complaint for

declaratory judgment (Dkt. # 2) on January 20, 2010 seeking a declaratory judgment that the

insurance policy issued by plaintiff to Brandon Few and Crystal Few affords no coverage for claims

asserted by Savanna Haddock and Clifton Haddock against Crystal Few, and that it has no duty to

defend or indemnify Crystal Few against claims made by Savanna and Clifton Haddock. Dkt. # 2,

at 8.

Plaintiff served Brandon and Crystal Few with copies of the complaint on February 17, 2010.

Dkt. ## 10, 11. Plaintiff filed a motion for entry of default by the Court Clerk (Dkt. # 19) and the

Court Clerk entered default (Dkt. # 20) against Brandon and Crystal Few on May 5, 2010. Pursuant

to Fed. R. Civ. P. 55(a), default judgment is appropriate when "a party against whom a judgment

for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and

that fact is made to appear by affidavit or otherwise." The Court finds that Brandon and Crystal Few have failed to file a responsive pleading or otherwise defend against plaintiff's claim, and default judgment should be entered in favor of plaintiff and against Brandon and Crystal Few.

IT IS THEREFORE ORDERED that American Commerce Insurance Company's Application for Default Judgment Against Defendants Brandon and Crystal Few (Dkt. # 16) is **granted**.

DATED this 23rd day of June, 2010.

CLAIRE V. EAGAN, CHIEF JUDGE
UNITED STATES DISTRICT COURT